

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING – AUGUST 4, 2009**

The meeting was called to order at 9:00 A.M. with Commissioners Kasian, Arthaud, and Thompson in attendance.

Arthaud moved to approve the minutes from the July 7, 2009 regular meeting. Thompson seconded.

Others present during portions of the meeting were: Joyce Thompson, Sherry Adams, Steve Dorval, John Hild, Randy Hatzenbuehler, Lon Romsaas, Dave Jurgens, Jim Wosepka, Jay Brovold, Pat Rummel, Don Heiser, Dave Jurgens, Jason Kastrow, Gary Geisler, Lynn Arthaud, Tim Kelly, Paul Douglas, Morey Bang, Corinne Davis.

Steve Dorval, Heartland Engineering, met with the board to give them an update on the Blacktail Road Project. The board received the final estimate. Arthaud moved to accept the estimate. Arthaud seconded. All voted aye.

TRMF representatives John Hild and Randy Hatzenbuehler, along with Lon Romsaas from Swenson/Hagen Engineering met with the board to discuss the riverbank restoration agreement between Billings County, Theodore Roosevelt Medora Foundation, and the Natural Resource Conservation Service. Billings County would be the sponsoring agency between Theodore Roosevelt Medora Foundation and Natural Resource Conservation Service. Kasian moved to enter into this agreement with TRMF. Arthaud seconded. All voted aye. State's Attorney Brovold will draft those documents for Chairman Kasian to sign.

The board was informed that the amount budgeted in 2009 for the purchase of a new fire truck would be short approximately \$90,000. The truck is scheduled to be delivered this fall. Arthaud moved to amend the budget with funds from the general fund reserve. Thompson seconded. All voted aye.

Sheriff Dave Jurgens informed the board that he checked on the Burlington Northern easement east of Medora that Billings County applied for over a year ago. The check for the application fee was cashed, but BN never did issue the lease. There is a culvert washing out on that road, and Burlington northern claims right-of-way of 250 feet on either side of the tracks. The culvert that is washing out is within BN right-of-way. Fire Chief Don Heiser noted that the fire department does use the crossing each year, but at this point a fire truck would not be able to cross over the culvert. State's Attorney Brovold informed the board that Billings County does not have a lease with Burlington Northern, so at this point the county cannot do any improvements on the road. The board asked Dave and Don to check into whether there was a need for the county to pursue obtaining a lease from Burlington Northern.

Southwest District Health Unit representatives Joyce Thompson and Sherry Adams arrived for the scheduled Health Unit public budget hearing. Joyce and Sherry thanked the board for their support and gave a brief overview of their budget plans for the upcoming year. Two commissioners need to attend the joint budget hearing August 27<sup>th</sup> to vote on the budget approval. Allan Thompson and Mike Kasian will attend that meeting. There are plans for a public flu vaccination day at the Fryburg School this fall. The vaccination for the Swine flu will also be available, and that is a series of two vaccinations, one month apart. The Health Unit also expressed their interest in the old ambulance if the board approves the purchase of a new one in 2010.

The board reviewed the taxable/non-taxable mileage reimbursement issue. After discussion, it was determined that the county shops were the commissioner's main place of employment, and mileage between their homes and their district shop would be taxable. Mileage to Medora for meetings and to check on road issues would be non-taxable. Kasian moved to approve this policy. Arthaud seconded. All voted aye.

The board reviewed the annual contract with Dickinson Public Library to provide library services to Billings County. Kasian moved to approve the contract. Arthaud seconded. All voted aye.

Auditor Jurgens asked the board if they would authorize payment of invoices that offer a discount if paid by a certain date, when that date falls before the monthly commission meeting. The Auditor's Office would obtain verbal authorizations from all three commissioners prior to making the payment. Thompson moved to approve the procedure. Arthaud seconded. All voted aye.

The board received and reviewed the annual Financial Report and Performance Report for the Billings County CDBG SW Water Hookup project.

The Billings County employees requested that in lieu of a cost of living increase in 2010, the board consider funding the 4% the employees are required to contribute to the North Dakota Public Employees Retirement System. In doing so, both the county and the employees would realize a tax savings. Kasian moved to approve this request and give the seasonal and part-time employees not eligible for the retirement a 76 cent per hour increase. Arthaud seconded. All voted aye.

Tim Kelly with Kadrmas, Lee & Jackson met with the board to present the monthly engineer’s report. Gary Geisler, certified appraiser was also on hand to discuss the proposed Ash Coulee Road project.

12 noon – 1:00 P.M. The board recessed for lunch.

After lunch break, Tim Kelly finished up with a few more road project details.

Jim Wosepka, CPA presented the board with the audit report for the year ending December 31, 2008. The employee code of conduct was also discussed. Jim suggested that every year the employees review the policy manual and sign a sheet that they have done so. Compensatory and overtime policy was also reviewed. Arthaud moved to approve the audit. Thompson seconded. All voted aye.

Paul Douglas appeared concerning minor subdivision and plat for tract one of the Douglas subdivision. The zoning board recommended approving it. Arthaud moved to approve tract one as read. Thompson seconded. All voted aye.

Morey Bang and Corrine Davis explained their proposal to construct an employee residential dormitory building on the land they purchased south of Medora. They are also planning some recreational vehicle and tent areas, as well as some small cabins. The zoning board recommended approving the plan as presented to them without the addition of the dormitory. Arthaud moved to approve the plan as presented to the zoning board without the addition of the dormitory, which is sixteen R.V. sites, four cabins and one single family residence. Thompson seconded. All voted aye.

The following permits were received and approved:

Construction in County Right-of-Way Permit:

- Roughrider Electric Coop – Sections 9 & 16, Township 139, Range 100
- Texon LP – Section 34, Township 140, Range 100

The board reviewed the 2010 budget requests that have been submitted. Auditor Jurgens will have the rest of the individual requests and a preliminary budget by the September meeting to be approved for publication.

The board approved the revenue vouchers for the month of July: Zoning Inspector \$75.00 Permits; County Recorder \$3,127.50 July Collections; Sheriff \$133.00 Civil Fees; Clerk of Court \$392.10 County Fees and \$6,286.01 State Fees.

Revenues for materials and/or services rendered in July: Dorm Henders \$446.70 Used Bridge Plank, Scoria & Trucking; Mike Klatt \$185.25 Scoria & Hauling; Maynard Burian \$92.63 Scoria & Hauling; Flying Y Ranch \$577.80 Scoria & Hauling; Dave Reis \$92.63 Scoria & Hauling; Joseph L. Kessel \$71.50 Insurance; Terry Tachenko \$92.63 Scoria & Hauling; Terry Klym \$91.80 Fill Sand & Hauling; Maynard Thompson \$17.35 map; Howard Olstad \$989.00 Scoria; Dennis O’Brien \$185.25 Scoria & Hauling; James Adams \$10.75 map; Donna Adams \$20.00 Floor Lamp; Prosafe Pest Control \$118.25 maps; State Historical Society \$1,793.54 Chemical/Spraying; Harold Hugelen \$3,117.00 Scoria & TruckinHauling; Roger Decker \$81.60 Scoria & Hauling; Doug Paluck \$347.70 Scoria & Hauling; Stoppeworth & Sons \$84.00 Scoria; Hallie Lavelle \$71.50 Insurance; ND Dept of Agriculture \$3,079.97 Weed Board funds.

Revenues for the month of July: Highway Distribution \$45,484.13; Interest \$14,298.00; Oil & Gas Production \$84,522.80; Royalties \$41,062.26; Township Rd Distribution \$14,491.76; State Aid Distribution \$35,209.63; Weather Related Funds \$106,602.29; Permits \$6,000.00

The following claims were approved for payment:

Adams, Donna	Recorder – Travel Expense	95591	\$	111.00	
Advanced Business Methods	Copier Contract	95592	\$	542.11	
Alternative Sanitation	Haul Waste	95593	\$	141.00	1, 2, 3
AmeriPride Linen Service	Mat Rentals	95594	\$	42.85	3
Atlas Windshield Repair	Windshield Repairs	95595	\$	252.50	1
Badlands Diesel Service, Inc.	Parts & Repairs	95596	\$	2,311.57	3

Bares, Virginia	Supt. of Schools – Travel	95597	\$	254.00	
Billings County Auditor	Killdeer Hilltop Home of Comfort	95598	\$	5,000.00	
Billings County Rural Fire District	Taxes	95599	\$	2,776.78	
Billings County Historical Society	Taxes	95600	\$	171.62	
Billings County Pioneer	Publishing	95601	\$	400.68	
Billings County School District	Weed – Shop Rent	95602	\$	300.00	Weed
Billings County School District	Taxes	95603	\$	65,819.55	
Beach Veterinary Clinic	S. O. – Boarding	95604	\$	144.76	
Beall Corporation	Parts & Supplies	95605	\$	38.13	3
Belfield Automotive Supply, Inc.	Parts & Supplies	95606	\$	1,246.64	2, 3, W, G
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	95607	\$	2,128.70	1, 2, 3, W, G
Boltz Construction	Blade Roads	95608	\$	5,891.00	3
Brooks & Associates, C. E.	Road Mgmt. Agreement	95609	\$	1,298.00	
Brooks & Associates, C. E.	Land Use Plan – Travel Mgmt.	95610	\$	238.85	
Bomstad Estate, Burnette O.	Recorder – Recording Sheets	95611	\$	156.74	
Butler Machinery Company, Inc.	Parts & Supplies	95612	\$	13.89	1
Cass County Treasurer	Document Preservation Fund	95613	\$	84.00	
Cerkoney, Cathy	Zoning Meeting Mileage	95614	\$	70.00	
Challenger Industries, Inc.	Parts & Supplies	95615	\$	1,148.23	3
Charbonneau Car Center.	Parts & Supplies	95616	\$	20.90	Weed
Chesak Seed House	Seed	95617	\$	1,139.25	3
Custer’s Cottage	N.D. Weed Control Association	95618	\$	75.00	Weed
Dakota Ag Seeds, Inc.	Weed – Chemical	95619	\$	6,748.21	Weed
Dakota Farm Equipment, Inc.	Parts & Supplies	95620	\$	84.98	1, 3
Dakota Farm Equipment, Inc.	J.D. Tractor Buyback	95621	\$	46,675.00	1
Dakota Insurance	Property Insurance	95622	\$	57.00	
Dakota Water Treatment	Water System	95623	\$	25.00	1
Dan’s Interstate Conoco	S. O. – Gas	95624	\$	312.96	
Dash Medical Gloves	Courthouse – Maintenance Supplies	95625	\$	49.90	
Dickinson Press	Subscription	95626	\$	155.00	
Dickinson Public Library	Library Services	95627	\$	3,550.21	
Dickinson Tire, Inc.	Ambulance – Parts	95628	\$	122.83	
DTE, Inc.	Parts & Repairs	95629	\$	148.50	2
Emergency Medical Products, Inc.	Ambulance – Medical Supplies	95630	\$	617.10	
Farmers Union Oil Company	Oil, Diesel, & Fencing Materials	95631	\$	3,903.05	1, 2, 3
Fastenal Company	Shop Supplies	95632	\$	11.53	1
Ferno-Washington, Inc.	Ambulance – Medical Supplies	95633	\$	513.62	
Fisher Industries, Inc.	Washed Sand	95634	\$	790.54	2
Fujitsu Computer Products	Recorder – Scanner Contract	95635	\$	1,495.00	
G. T. Geiszler Company	Appraisal Services	95636	\$	600.00	2
Georges’s Tire, Ltd.	Service Call	95637	\$	277.00	2
Golden Valley County	Social Service	95638	\$	5,111.02	
Golden Valley County	Worker Comp. Premium	95639	\$	545.54	
Golden Valley County	Property Insurance	95640	\$	59.56	
Heartland Engineering	Blacktail Road	95641	\$	51,148.88	2
Heiser Electric, Don	Electrical Repairs	95642	\$	4,109.38	1, 3, G
Hlebechuk Construction, Inc.	Blade Roads	95643	\$	18,956.00	2, 3
Honda West	Parts & Supplies	95644	\$	4.70	Weed
Jurgens, Joan	Auditor – Travel	95645	\$	69.50	
Kadrmaz, Lee, & Jackson, Inc.	Engineering Services	95646	\$	282.50	1
Kasian, Connie	Zoning Meeting Mileage	95647	\$	133.00	
Kasian, Mike	Commissioner – Mileage	95648	\$	162.70	2
Kelly Inn – Minot	Supt. of Schools – Travel	95649	\$	110.00	
Kessel, Anita	Zoning Meeting Mileage	95650	\$	79.00	
Kevin’s Auto & Truck Repair	Shop Supplies	95651	\$	27.00	2
Krush, Paul	Zoning Meeting Mileage	95652	\$	158.20	
LaDuke, Joe	Zoning Meeting Mileage	95653	\$	70.00	
Lindbo Welding Service	Cattleguards	95654	\$	1,742.50	2, 3
Lyle Signs, Inc.	Road Sign Supplies	95655	\$	164.18	3
Mid-American Research Chemical	Courthouse – Maintenance Supplies	95656	\$	129.75	
Martin Construction	Blacktail Road	95657	\$	249,278.24	2
Matthew Bender & Company, Inc.	Legislative Updates	95658	\$	793.30	
MedMedia	Ambulance – EMSTAT Renewal	95659	\$	250.00	
Midstate Telephone Company	Courthouse – Telephone Service	95660	\$	976.93	
Midstate Communications	Supt. of Schools – Telephone	95661	\$	40.91	
Missouri Valley Petroleum, Inc.	Gas, Oil, & Diesel Fuel	95662	\$	10,175.88	2, 3
Napa Quality Auto Parts	Parts & Supplies	95663	\$	48.98	3
N.D. Newspaper Association	N.D.S.U. Extension Service Ad	95664	\$	157.50	
N.D. Association of Counties	911 Taxes	95665	\$	201.78	
N.D. Cowboy Hall of Fame	Meeting Room Maintenance	95666	\$	200.00	
N.D.P.E.R.S.	Health Insurance Premium	95667	\$	27,905.45	1, 2, 3, W, G
N.D. State Treasurer	Clerk of Court Fees	95668	\$	6,288.15	
N.D. Assoc. of Assessing Officers	Tax Director – Conference Fees	95669	\$	180.00	
Nelson International	Parts & Supplies	95670	\$	255.13	1, 2
Northern Improvement Co., Inc.	Omega Mix	95671	\$	1,955.00	1, 2, G
O’Brien Welding	Magpie Bridge Repair, etc.	95672	\$	2,891.61	1, 3
Off Road Software, Inc.	GIS Software	95673	\$	1,400.00	
OK Tire Stores	Tires	95674	\$	310.86	3
Oyhus Land Company	Scoria Lease	95675	\$	50.00	2
Pitney Bowes Credit Corporation	Postage Machine Contract	95676	\$	349.08	
Prairie Lumber Company	Construction Materials	95677	\$	5,792.49	1
Prairie Supply, Inc.	Building Repairs	95678	\$	126.16	1
Probuild	Ground Stakes	95679	\$	78.00	3
Pump Systems, Inc.	Parts & Supplies	95680	\$	947.56	1, W
RDO Equipment Company	Parts & Supplies	95681	\$	225.53	2
Redman McJunkin Corporation	Parts & Supplies	95682	\$	196.40	2

Roughrider Electric Cooperative	Electricity	95683	\$	2,545.00	1, 2, 3, G
Roughrider Speed Center, Inc.	S. O. – Equipment	95684	\$	419.99	
Runnings Supply, Inc.	Parts & Supplies	95685	\$	456.86	2, W
Southwest Business Machines	Office Supplies	95686	\$	847.30	2, W, G
Schmidt Repair, Inc.	Parts & Repairs	95687	\$	326.03	2, 3
South Heart Auto Service	Parts & Repairs	95688	\$	194.95	Weed
Sherwin – Williams	Paint Supplies	95689	\$	65.01	
Smart Computers & Consulting	Computer & Printers	95690	\$	2,958.97	
Snyder Repair & Service.	Tires	95691	\$	205.82	Weed
St. Joseph’s Hospital	Ambulance – Medical Supplies	95692	\$	5.75	
Stein’s, Inc.	Courthouse – Maintenance Supplies	95693	\$	139.31	
Superpumper, inc.	S. O. – Gas	95694	\$	43.99	
Southwest Grain Cooperative	Weed – Chemicals	95695	\$	126.71	Weed
Southwestern District Health Unit	Taxes	95696	\$	950.37	
Southwest Water Authority	Water Usage	95697	\$	783.41	1, 2, 3
Southwest Water Authority	Taxes	95698	\$	310.73	
Swanston Equipment Corporation	Parts & Supplies	95699	\$	866.87	3
Tczap, John	Zoning Meeting Mileage	95700	\$	70.00	
Texas Refinery Corporation	Parts & Supplies	95701	\$	460.80	2
Thompson, Allan T.	Commissioner – Mileage	95702	\$	44.00	1
Tom’s Heating Service	Heating Equipment	95703	\$	4,518.40	1
Tom’s Service Center	Parts & Repairs	95704	\$	385.90	W, G
Verizon Wireless	Cellular Service	95705	\$	170.22	2, G
Wal-Mart	Courthouse – Maintenance Supplies	95706	\$	348.22	
Western Fire & Safety, Inc.	Safety Supplies	95707	\$	98.74	1, W
Westlie Truck Center	Parts & Supplies	95708	\$	716.36	3
Wilson Supply, Inc.	Parts & Supplies	95709	\$	4.98	3
Wolf Dennis E., M.D.	Autopsy	95710	\$	500.00	
Wosepka, James J. C.P.A.	2008 Fiscal Year Audit	95711	\$	7,645.25	
Zoll Medical Corporation	Ambulance – Medical Supplies	95712	\$	120.00	
N.D. Division of Community Service	Eagle Ridge Lodge	95713	\$	83,648.81	
RDO Equipment Company	Replace Check # 95481	95714	\$	2,387.80	2
Alltel	Cellular Service	95768	\$	428.04	1, 3, G
American Family Life Assurance	Premium	95769	\$	674.82	
Consolidated	Internet Service	95770	\$	238.45	2, 3, W
Dell Commercial Credit	Computer Equipment	95771	\$	702.94	
Discovery Benefits, Inc.	Administrative Fees	95772	\$	85.00	
Discovery Benefits, Inc.	Premium	95773	\$	1,918.35	
Information Technology Dept.	S.O. – T-1 Line	95774	\$	436.60	
Medora, City of...	Courthouse – Utilities	95775	\$	263.86	
N.D.P.E.R.S.	Deferred Comp. Premium	95776	\$	4,039.00	
N.D.P.E.R.S	Retirement	95777	\$	10,627.00	1, 2, 3, W, G
N.D. Teachers Fund	Retirement	95778	\$	208.70	
Prudential	Deferred Comp. Premium	95779	\$	50.00	
Qwest	Telephone Service	95780	\$	302.84	1, 2, 3, W, G
Reservation Telephone Cooperative	Telephone Service	95781	\$	55.51	1, 2, 3, G
Visa	Straw Waddles, Software, etc.	95782	\$	<u>2,607.92</u>	<u>3, G</u>

Payroll in the following amounts were approved for July: General Fund \$64,380.96; Road and Bridge Fund \$63,417.55; Weed Fund \$39,276.23

With there being no further business, Kasian moved to adjourn the meeting 4:30 P.M. Thompson seconded.

Michael E. Kasian, Chairman

Attest: \_\_\_\_\_

Joan Jurgens, Auditor/Treasurer